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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: WEIDNER, Morten Sloth Conf.: 9245
Appl. No.: 09/613,468 Group: 1616
Filed: July 10, 2000 Examiner: GOLLAMUDI, S.
For: NOVEL COMPOSITION CONTAINING EXTRACTS OF
BUTYROSPERMUM PARKII AND THE USE OF SUCH
A COMPOSITION FOR PREPARING A MEDICAMENT
OR A DIETARY SUPPLEMENT FOR THE
TREATMENT OR PREVENTION OF
INFLAMMATION, HYPERSENSITIVITY OR PAIN

SMALL ENTITY TRANSMITTAL FORM

Assistant Commissioner for Patents
Washington, DC 20231

December 27, 2001

Sir:

Transmitted herewith is a Reply to Restriction/Election Requirement in the above-identified application.

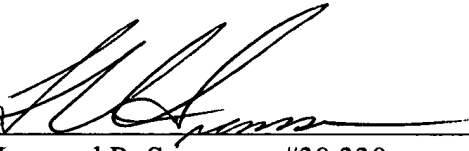
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☒ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☒ Petition for two (2) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$200.00 for the extension of time.
- ☐ No fee is required.
- ☒ Check(s) in the amount of \$200.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

Appl. No. 09/613,468

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Leonard R. Svensson, #30,330

LRS/lmt
0459-0461P

P.O. Box 747
Falls Church, VA 22040-0747
(714) 708-8555

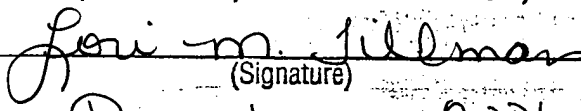
Attachments

(Rev. 09/27/01)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope to: Commissioner of Patents and Trademarks, Washington

D.C. 20231 on: December 27, 2001
(Date of deposit)

BIRCH, STEWART, KOLASCH & BIRCH, LLP


(Signature)
December 27, 2001
(Date of Signature)



PATENT
0459-0461

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: WEIDNER, Morten Sloth Conf.: 9245
Appl. No.: 09/613,468 Group: 1616
Filed: July 10, 2000 Examiner: GOLLAMUDI, S.
For: NOVEL COMPOSITION CONTAINING EXTRACTS OF
BUTYROSPERMUM PARKII AND THE USE OF SUCH
A COMPOSITION FOR PREPARING A MEDICAMENT
OR A DIETARY SUPPLEMENT FOR THE TREATMENT
OR PREVENTION OF INFLAMMATION,
HYPERSENSITIVITY OR PAIN

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

December 27, 2001

Sir:

In the Examiner's Office Action dated September 27, 2001, the period for response having been extended two (2) months to December 27, 2001, the Examiner has required an election between the claims of Groups I-VII.

In response thereto, Applicant provisionally elects to prosecute the claims of Group I, i.e. claims 1-9 drawn to compositions.

The Examiner has further indicated that if Group I is elected, then an election of species is further required. In response thereto, Applicant provisionally elects to prosecute the species represented by compositions formulated as an "emulsion". The Examiner will note that claim 9 lists an emulsion as one of the types of formulations and all of the claims of Group I are generic to the elected species. Furthermore, although Applicant has provisionally elected to prosecute the species represented by an emulsion, once the elected species is found allowable, then the search and examination must be extended to Applicant's other species and Applicant's generic claim.

Finally, the Examiner has additionally indicated that if Group I is elected then the Applicant may choose a method of treatment. Therefore, Applicant additionally elects the method of treatment of Group III, i.e. claims 17-18, drawn to a method of treating hypersensitivity or inflammation.


Favorable action on the claims is requested.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant respectfully petitions for a two (2) month extension of time for filing a response in connection with the present application and the required fee of \$200.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Leonard R. Svensson, #30,330

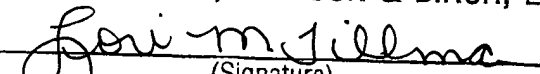
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BIRCH, STEWART, KOLASCH & BIRCH, LLP


(Signature)
December 27, 2001
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